

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ARDELL JENKINS,

Plaintiff,

v.

FEDERAL DETENTION CENTER SEA-  
TAC,

Defendant.

CASE NO. C14-1827-JCC-JPD

ORDER

This matter comes before the Court on the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge (Dkt. No. 3) and Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. No. 4.).

Judge Donohue recommended the above-captioned matter be dismissed for failure to prosecute on the basis that Plaintiff did not pay his filing fee or move for leave to proceed *in forma pauperis*. (Dkt. No. 3, p. 2.) Objections to the Report and Recommendation were due April 13, 2015. (*Id.*) On April 13, 2015, Plaintiff filed his motion for leave to proceed *in forma pauperis*. (Dkt. No. 4.)

In light of Plaintiff's filing of his motion to proceed *in forma pauperis*, the Court DECLINES to adopt the Report and Recommendation. This matter is referred back to Judge Donohue for further proceedings, including whether or not to grant Plaintiff leave to proceed *in forma pauperis*.

1 DATED this 5th day of May 2015.

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8 John C. Coughenour  
9 UNITED STATES DISTRICT JUDGE  
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